

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

[PROPOSED] ORDER
OF GARNISHMENT

- against -

15-CR-0637 (KAM)

EVAN GREEBEL,

Defendant and
Judgment Debtor,

and

MERRILL LYNCH, PIERCE, FENNER
& SMITH, INC.,

Garnishee.

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WHEREAS, pursuant to his conviction for conspiracy to commit wire fraud, and conspiracy to commit securities fraud, pursuant to 18 U.S.C. §§ 1349 and 371, respectively, this Court imposed a Judgment against defendant Evan Greebel (“Defendant”) on August 17, 2018, and sentenced him, *inter alia*, to pay restitution in the amount of \$10,447,979.00;

WHEREAS, on or about November 15, 2018, the United States filed an application for a writ of garnishment against a retirement brokerage account belonging to Defendant, held at Merrill Lynch, Pierce, Fenner & Smith, Inc. (“Merrill Lynch” or “Garnishee”);

WHEREAS, on or about November 19, 2018, the Court issued a Writ of Continuing Garnishment against a retirement brokerage account belonging to Defendant, held at Merrill Lynch;

WHEREAS, on or about June 12, 2020, after multiple stipulated and SO ORDERED extensions, Defendant timely filed an objection to the Writ of Continuing Garnishment;

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WHEREAS, on April 16, 2021, after considering the parties' briefs regarding Defendant's objection, and after holding an evidentiary hearing on January 28, 2021, the Court issued an Order denying Defendant's objections to garnishment and instructing the United States to submit proposed orders of garnishment by April 21, 2021;

WHEREAS, as of January 27, 2021, the balance of Defendant's Merrill Lynch account was approximately \$185,000.00; and

WHEREAS, as of April 19, 2021, the outstanding balance for restitution imposed against Defendant, with interest, is approximately \$11,117,181.22;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Garnishee shall pay to the Clerk of the Court the cash surrender value of Evan Greebel's interest in the Fried, Frank, Harris, Shriver & Jacobson LLP 401(k) Incentive Savings Plan, currently held by the garnishee on behalf of defendant, plus any accrued interest, by check made out to the "Clerk of the Court," and mailed to the Clerk of Court, U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, and the check shall include a reference to "U.S. v. Evan Greebel, CR-15-0637;

IT IS FURTHER ORDERED THAT the Clerk of the Court, after receiving the above-described check from Merrill Lynch, shall apply the funds to Defendant's outstanding restitution liability; and

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IT IS FURTHER ORDERED THAT the Clerk of the Court shall forward five certified copies of this Order to Assistant United States Attorney Thomas R. Price, U.S. Attorney's Office, 610 Federal Plaza, Central Islip, New York 11722.

Dated: Brooklyn, New York

_____, 2021

HONORABLE KIYO A. MATSUMOTO
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK